

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
MONTA LITTLE,

Plaintiff,

-against-

STIPULATION AND ORDER OF  
SETTLEMENT OF ATTORNEYS'  
FEES, COSTS AND EXPENSES

10 CV 5994 (JG) (RML)

CITY OF NEW YORK; POLICE OFFICER BENJAMIN  
SOTO, Shield No. 10029; SERGEANT JWANN  
LAYTON, Shield No. 3917; POLICE OFFICER  
HUMBERTO KIBEL, Shield No. 8465; POLICE  
OFFICER EDDIE MARTINS, Shield No. 5731; POLICE  
OFFICER BARBARA SOBOLEWSKI, Shield No. 1673;  
and JOHN and JANE DOE 6 THROUGH 10, individually  
and in their official capacities, (the names John and Jane  
Doe being fictitious, as the true names are presently  
unknown),

Defendants.  
-----X

**WHEREAS**, plaintiff commenced this action by filing a complaint on or about  
December 23, 2010, alleging violations of his constitutional rights; and

**WHEREAS**, defendants have denied and continue to deny any and all liability  
arising out of plaintiff's allegations; and

**WHEREAS**, pursuant to the Stipulation and Order of Settlement and Dismissal,  
plaintiff assigned his right to attorneys' fees, costs, and expenses to his counsel; and

**WHEREAS**, counsel for defendants and counsel for plaintiff now desire to  
resolve the issue of attorneys' fees, costs, and expenses without further proceedings;

**NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by  
and between the undersigned, the attorneys of record for the respective parties to the above-  
captioned action, as follows:

1. Defendant The City of New York shall pay to plaintiff's counsel, Harvis & Saleem, LLP, the sum total of EIGHTEEN THOUSAND DOLLARS (\$18,000.00) in full satisfaction of plaintiff's attorneys' fees, expenses, and costs. Counsel for plaintiff hereby agrees and represents that no other claims for attorneys' fees, costs, or expenses arising out of this action shall be made by or on behalf of plaintiff The City of New York in any application for attorneys' fees, costs, or expenses at any time.

2. In consideration of the payment of EIGHTEEN THOUSAND DOLLARS (\$18,000.00) by the defendant The City of New York, counsel for plaintiff does hereby release and discharge defendants City of New York, Police Officer Benjamin Soto, Sergeant Jwann Layton, Police Officer Humberto Kibel, Police Officer Eddie Martins, and Police Officer Barbara Sobolewski; their successors or assigns; and all past and present officials, employees, representatives and agents of the City of New York, or any agency thereof, from any and all claims of attorneys' fees, expenses and costs which were or could have been alleged in the aforementioned action.

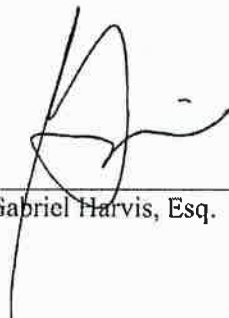
3. Nothing contained herein shall be construed to be an admission of liability by any defendants or the City of New York, nor an admission that any of the allegations made by plaintiff are true or that defendants in any way violated any rights guaranteed to plaintiff by any constitutions, statutes, ordinances, rules or regulations of the United States, the State of New York, the City of New York, or any other rules, regulations or bylaws of any department or subdivision of the City of New York. This Stipulation and settlement shall not be admissible in, nor is it related to, any other litigation or settlement negotiations.

4. This Stipulation and Order contains all the terms and conditions agreed upon by the counsel for defendants and counsel for plaintiff hereto, and no oral agreement entered into prior to the execution of this Stipulation and Order regarding the subject matter of attorneys' fees, costs, or expenses shall be deemed to exist or to vary the terms and conditions contained herein.

Dated: New York, New York  
September 21, 2011

HARVIS & SALEEM LLP  
Attorneys for Plaintiff  
305 Broadway, 14th Floor  
New York, NY 10007  
(212) 323-6880

By:

  
\_\_\_\_\_  
Gabriel Harvis, Esq.

MICHAEL A. CARDOZO  
Corporation Counsel of the City of New York  
Attorney for Defendants  
CITY OF NEW YORK,  
POLICE OFFICER BENJAMIN SOTO,  
SERGEANT JWANN LAYTON,  
POLICE OFFICER HUMBERTO KIBEL,  
POLICE OFFICER EDDIE MARTINS, &  
POLICE OFFICER BARBARA SOBOLEWSKI  
100 Church Street  
New York, New York 10007  
(212) 676-1307

By:

  
\_\_\_\_\_  
Gregory P. Mouton, Jr., Esq.  
Assistant Corporation Counsel

SO ORDERED:

\_\_\_\_\_  
HONORABLE JOHN GLEESON  
UNITED STATES DISTRICT JUDGE